

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:01-cr-00086-FDW

UNITED STATES OF AMERICA,

vs.

RONALD LAZARUS HIGGS,

Defendant.

ORDER

THIS MATTER is before the Court on Defendant's Unopposed Motion for Reconsideration, (Doc. No. 126). In light of the Government's consent and Defendant's representation that Defendant has been released to home confinement, the Court will GRANT the motion. Supplemental briefing shall be limited to the issues raised in the motion and shall be no more than 1,500 words.<sup>1</sup> The deadlines provided within the motion shall govern, and Defendant shall file a supplemental brief no later than November 22, 2022, and the Government shall have 30 days to file its response.

IT IS THEREFORE ORDERED that Defendant's Motion for Reconsideration, (Doc. No. 126), is GRANTED.

IT IS SO ORDERED.

Signed: November 17, 2022



Frank D. Whitney  
United States District Judge



<sup>1</sup> The Court notes that nothing in the Fourth Circuit's Order remanding this case ordered or even suggested supplemental briefing to be necessary, particularly where the Fourth Circuit "remand[ed] this case to the district court to give the district court the opportunity to respond more fully to Higgs' sentencing-disparities and rehabilitation arguments" that had been previously raised but not fully addressed by this Court. And, nothing in the Fourth Circuit's order directed this Court to hear new argument on the impact of the Supreme Court's decision in Concepcion v. United States, \_\_ U.S. \_\_, 142 S. Ct. 2389 (2022), which had been issued at the time the Fourth Circuit remanded this matter. Nevertheless, because the Government consents to the instant motion and because of the changes in Defendant's confinement, the Court allows the motion.